

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AMERICAN CIVIL LIBERTIES UNION)	No. 12-cv-4008-MEJ
OF NORTHERN CALIFORNIA;)	
SAN FRANCISCO BAY GUARDIAN,)	
)	
Plaintiffs,)	
)	
v.)	STIPULATION RE:
)	BRIEFING SCHEDULE
DEPARTMENT OF JUSTICE)	
)	
Defendant.)	

The parties agree, subject to the Court's approval, to modify the current briefing schedule so as to provide defendant with two additional business days in order to file its reply in support of defendant's motion for partial summary judgment and in opposition to plaintiffs' cross-motion for summary judgment. The parties do not wish to change any of the other deadlines in this case, including the hearing currently set in this matter for August 22, 2013. In support thereof, the parties state as follows:

1. Pursuant to previous stipulations filed by the parties, the Court adopted the following briefing schedule regarding partial summary judgment for Parts 2-4 of plaintiffs' FOIA request:
 - a. Defendant's opening brief shall be filed no later than June 6, 2013.
 - b. Plaintiffs' cross-motion (if any) and opposition shall be filed no later than June 27, 2013.
 - c. Defendant's reply and opposition (if any) shall be filed no later than July 18, 2013.
 - d. Plaintiffs' reply (if any) shall be filed no later than August 8, 2013.
 - e. The hearing in this matter shall be held on August 22, 2013.

Order, ECF No. 20, 02/22/2013.¹ Pursuant to that schedule, defendant has filed its motion for partial summary judgment regarding parts 2-4 of the FOIA request, and plaintiffs have filed their opposition and cross-motion for summary judgment. *See* ECF No. 23 (06/06/2013); ECF No. 25 (06/27/2013).

2. Undersigned counsel for defendant seeks, and undersigned counsel for plaintiffs has agreed to, a modest, two-business-day extension for defendant to file its reply in support of its motion for partial summary judgment and opposition to plaintiffs' cross-motion for summary judgment. Undersigned counsel for defendant has multiple other litigation matters for which he is the primary responsible attorney and, among other things, has had to travel for work for nearly the entirety of this week. Accordingly, two extra business days will allow defendant adequate time to finalize its brief.

3. If this Court grants the parties' stipulation, defendant's brief will be due on Monday, July 22. This stipulation does not affect any other deadlines in this case, including the deadline for plaintiffs' reply brief and the hearing set for August 22.

IT IS SO STIPULATED THIS 17TH DAY OF JULY, 2013:

/s/ Linda Lye
MICHAEL RISHER
LINDA LYE
American Civil Liberties Union
Foundation of Northern California
39 Drumm Street
San Francisco, CA 94111
Telephone: (415) 621-2493
Facsimile: (415) 255-8437
E-mail: llye@aclunc.org

Attorneys for Plaintiffs

STUART F. DELERY
Acting Assistant Attorney General
Civil Division

ELIZABETH J. SHAPIRO
Deputy Branch Director
Civil Division, Federal Programs Branch

/s/ Brad P. Rosenberg
BRAD P. ROSENBERG (D.C. Bar No. 467513)
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
P.O. Box 883
Washington, D.C. 20044
Telephone: (202) 514-3374
Facsimile: (202) 616-8460
E-mail: brad.rosenberg@usdoj.gov

Attorneys for Defendant

¹ The Court subsequently adopted a separate briefing schedule regarding partial summary judgment for Part 1 of the FOIA request. *See* Order, ECF No. 22, 05/13/2013. That schedule is not affected by this Stipulation.

IT IS SO ORDERED THAT THE FOLLOWING BRIEFING SCHEDULE IS ADOPTED:

For the parties' partial motions for summary judgment regarding Parts 2-4 of plaintiffs' FOIA request, the briefing schedule shall remain as previously set by the Court, but modified as follows:

- a. Defendant's reply in support of its motion for partial summary judgment and opposition to plaintiffs' cross-motion for summary judgment (not to exceed 25 pages) shall be filed no later than July 22, 2013.
- b. Plaintiffs' reply (not to exceed 25 pages) shall be filed no later than August 8, 2013.
- c. The hearing shall be held on August 22, 2013.



Judge Maria-Elena James
United States Magistrate Judge

July 18, 2013

Date